

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

STEPHEN B. TURNER,
Plaintiff,

v.

DUSTIN TIERNEY,
Defendant.

No. C 12-6231 MMC

**ORDER VACATING MARCH 8, 2013
HEARING ON MOTIONS; CONTINUING
CASE MANAGEMENT CONFERENCE**

Before the Court are two motions filed, respectively, on January 22 and January 23, 2013 by defendant Dustin Tierney ("defendant") and noticed for hearing March 8, 2013: (1) Motion to Revoke Plaintiff's In Forma Pauperis Status; and (2) Motion to Dismiss Plaintiff Stephen B. Turner's Complaint. Plaintiff has filed opposition to which defendant has replied. Also before the Court are two motions, both filed February 4, 2013 by plaintiff and likewise noticed for hearing March 8, 2013: (1) Motion to Strike Defendant's Request for Judicial Notice; and (2) Motion to Strike the Declaration of Steve Hay. Defendant has filed opposition thereto. Having read and considered the papers filed in support of and in opposition to the motions, the Court deems the matters suitable for decision thereon, and hereby VACATES the hearing scheduled for March 8, 2013


Additionally, as the matters to be addressed at the Case Management Conference

//

1 currently scheduled for March 8, 2013 depend on the disposition of the above-referenced
2 motions, the Case Management Conference is hereby CONTINUED to July 12, 2013.

3 **IT IS SO ORDERED.**

4
5 Dated: February 27, 2013


MAXINE M. CHESNEY
United States District Judge